IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21059 of 2007

DIWAKAR JHA Son of Shri Lakshman Jha, resident of Mohalla Shivpuri East, Police Station Shashtrinagar, District-Patna

-------- Petitioner

Versus

1. STATE OF BIHAR
2. Dr. Sanoj Kumar Singh, S/O Dr. Sachhidanand Singh, resident of Sarda Sadan, Road No.9A/31, Indrapuri, P.S.Patliputra, District-Patna.

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3 30-09-2008 Heard Mr. Suresh Kumar Ishwar, the learned counsel for the petitioner as also Dr. Mayanand Jha, the learned A.P.P. for the State.

In this case, the learned counsel for Opp.Party no.2 has filed Vakalanatnama for his appearance. However, he is absent today when this case is called out.

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It appears from perusal of the complaint petition , which is Annexure -1 to the application that only allegation against the present petitioner is of having approached the complainant at his residence and proposed to him to purchase the house belonging to accused nos.1 to 3. It also appears that apart from the allegation of the petitioner having approached the complainant, there is no other allegation against him so as to invite the prosecution against him.

Due regard being had to the facts and circumstances of the case, the impugned order so far the petitioner is concerned is hereby quashed and the application is allowed.

(Abhijit Sinha, J)

NKS/-